



# **REQUEST FOR PROPOSALS**

## **Consultancy Services to:**

- (i) Update to URCA's Competition Guidelines for the Electronic Communications Sector;**
- (ii) Development of Competition Guidelines and Rules for the Energy Sector; and**
- (iii) Basic training of URCA staff on the Competition Law Guidelines**

**URCA: 02/2023**

**Issue Date: 15 March 2023**

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# **1 INVITATION TO CONSULTANTS**

## **1.1 Background**

The Utilities Regulation and Competition Authority (URCA) is the independent regulator and competition authority for the Electronic Communications Sector (ECS) and the Energy Sector (ES) in the Commonwealth of The Bahamas.

URCA began regulating the ECS upon its establishment in 2009 which coincided with the enactment of the Utilities Regulation and Competition Act, 2009 (URCA Act) and the Communications Act, 2009 (CA). URCA subsequently gained remit in relation to the Energy Sector (ES) in 2015 in accordance with the promulgation of the electricity Act, 2015 (EA).

In addition to its general obligations under the CA and the EA, URCA is tasked with as the competition authority for the ECS and ES having remit in relation to the regulation of competition in the ECS and the ES. In this regard, URCA has previously between on or about 1<sup>st</sup> September 2009 to 17<sup>th</sup> March 2010 issued its 'Competition Guidelines' (ECS COMP. 1 to ECS COMP. 9) which contained a series of guidance notes covering various competition law issues in relation to the ECS, which at the time was the only sector under URCA's regulatory remit.

Since the establishment of URCA's regulatory remit for the ES in 2015 with the enactment of the EA, URCA has undergone the process of building the regulatory framework in the ES in relation to required areas under the EA such as licensing, consumer protection and alternative dispute resolution. URCA now has as a project the development of competition guidelines for the ES. In its consideration of this project, URCA considers that it would be beneficial and in good regulatory practice to utilize this opportunity to develop a single harmonized regulatory document covering both the ECS and the EA. This would have the benefit of firstly updating the existing ECS competition guidelines along with the harmonization of URCA's regulatory approach (with necessary sector specific inclusions and derogations) across sectors.

In its planning, URCA recognizes that due to internal human capital limitations, this project requires the retention of external consultant(s). In an effort to build on URCA's internal expertise, URCA recognizes the need for the inclusion of institutional capacity building through knowledge transfer as a necessary aspect of the consultancy service.

## **1.2 Invitation to Consultants**

URCA accordingly invites proposals from suitably qualified persons to provide consultancy services in relation to URCA's 'Competition Guidelines' project. In particular, the project entails the development of a converged Competition Guidelines of URCA's existing Competition Guidelines for the Electronic Communication Sector and the development of sector specific inclusions for the Energy Sector ("the Guidelines"). The project also includes the development of practical rules and forms to be used in the implemented implementation of the Guidelines and the basic training of URCA regulatory and consumer relation staff in relation to the Guidelines.

Failure to comply with the requirements of this Request for Proposals, including the packaging and labeling requirements, may lead to disqualification.

The project is to be carried out by a consultant or group of consultants that will be selected on a competitive basis.

### **1.3 Documents describing the submission of proposal**

This RFPs consists of the following documents:

1. Invitation for proposals;
2. Information and Instructions for Bidders;
3. Terms of Reference;
4. Technical proposal submission forms - Annex 1; and
5. Financial proposal and submission forms - Annex 2.

Particular attention is drawn to the last date and time for the submission of proposals being **28 April 2023 at 4:00 pm**. The consultant has the sole responsibility for ensuring that the proposal is delivered within this specified time. Proposals received after the date and time above will be left unopened.

## **2 INFORMATION AND INSTRUCTION TO CONSULTANT**

These instructions define how the consultant should prepare and submit their proposals and should be read in conjunction with the Terms of Reference and other attached documents.

The Proposal must be divided in two parts: Technical Proposal; and Financial Proposal.

### **2.1 Technical Proposal**

The Technical Proposal must cover the following matters:

- 2.1.1 Background, organization and experience of the consultant in relation to the assignment. A list of at least three (3) similar assignments undertaken by the consultant during the last must be provided. The assignments must be of a similar nature to this request.
- 2.1.2 Proposed technical approach and work program including:
  - 2.1.2.1 Comments on the Terms of Reference.
  - 2.1.2.2 The general approach proposed for carrying out the consulting services (methodology).
  - 2.1.2.3 Work plan including the organization and time schedule of the proposed services, estimated duration of the whole assignment, and the man days/inputs of each proposed personnel.
  - 2.1.2.4 Detailed description of the specific tasks to be assigned to each member of the proposed team.
- 2.1.3 Name, background, and detailed professional education and experience of each team member assigned to this assignment.

### **2.2 Technical Proposal Format**

In an effort towards standardizing the required elements of the Technical Proposal and to enable the technical evaluation to be comparable, consultants are required to populate the six (6) standardized forms appended hereto as Annex 1. These forms are named as follows:

1. Technical Proposal Submission Form;
2. References;
3. Comments and suggestions on the Description of Services;
4. Description of methodology and work plan for performing the assignment;
5. Composition of the team and task(s) assignment of each team member; and
6. Time Schedule for Reports/Activities Delivery.

## **2.3 Financial Proposal**

- 2.3.1 The Financial Proposal must be separated based on the expected deliverables, which shall at a minimum include the deliverables set out in section 4.3 of this RFP. Each deliverable shall be a part of the total cost of the project. The proposal should also spell out the estimated duration of each deliverable.
- 2.3.2 Reimbursable costs such as airfare, hotel, etc. will be allowed under this assignment.

## **2.4 Financial Proposal Format**

For ease of preparation of the Financial Proposal and comparable evaluation process, the following four (4) standardized forms shown in Annex 2 are required to be filled out by all the bidder:

1. Financial Proposal Submission Form;
2. Summary of Cost;
3. Breakdown of Price per Deliverable; and
4. Company Information Form.

## **2.5 Submission of Proposals**

- 2.5.1 The Technical Proposal and Financial Proposal must be placed in two separate sealed envelopes, both of which must be placed in a third outer envelope bearing no identification of the bidder, but clearly marked as follows:

- “CONSULTANCY SERVICES TO:**
- (i) Update to URCA’s Competition Guidelines for the Electronic Communications Sector;**
  - (ii) Development of Competition Guidelines and Rules for the Energy Sector; and**
  - (iii) Basic training of URCA staff on the Competition Law Guidelines”**

An original and three (3) copies should be delivered to: The Director of Utilities and Energy Sector, Utilities Regulation & Competition Authority (URCA), Frederick Street, Frederick House, P.O. Box N-4860, Nassau, Bahamas.

- 2.5.2 The proposal must reach the above-mentioned address on or before the time and date in section 1.1 above.
- 2.5.3 The proposals must be written in English and should remain valid for at least sixty (60) calendar days from the deadline set in section 1.1 above.
- 2.5.4 URCA welcomes any further queries which bidders may have in relation to the proposed assignment, but any delay by URCA in providing the required information will not be considered as a reason for extending the submission date of the proposals. It is advisable

that the consultant contact URCA up to ten (10) working days before a proposal is made to obtain any clarification on the extent of the required service. In the event that URCA issues clarification consequential to a request by a bidder, the clarification shall be shared with all bidders.

## **2.6 Evaluation of Proposals**

The evaluation of the proposals will essentially, but not exclusively, be based on technical and financial considerations involving the following indicative criteria:

1. General experience of the bidder and experience in the assignments of similar nature;
2. Thoroughness of the approach and work plan;
3. Expertise of key personnel; and
4. Financial competitiveness and feasibility of the financial proposal.

## **2.7 Clarifications**

Any request for clarification must be made in writing to [cantonio@urcabahamas.bs](mailto:cantonio@urcabahamas.bs), no later than ten (10) working days before the deadline fixed for submission of proposals.

## **2.8 Confidentiality**

- 2.8.1 The consultant is required to disclose any potential or perceived conflict of interest within their proposal document.
- 2.8.2 The consultant acknowledges that any information concerning the analysis, findings and recommendations of which the consultant, its agents or employees become aware during bidding on this RFP or providing any services under a resulting contract, shall be treated as confidential and will not be released to any other party without express written consent. The consultant agrees to take such measures to protect such information, as it would reasonably be expected to take to protect its own confidential information.

## **2.9 Disclaimer**

URCA reserves the right to accept or reject all proposals, in whole or in part, received because of this request, and to negotiate in any manner necessary to best serve the interest of the project. Neither the lowest, nor any submission, shall necessarily be accepted and the decision of the selection committee is final.



## 3 REGULATORY FRAMEWORK

### 3.1 Background

URCA is a public body tasked as the independent and multi-sector regulator and competition authority for the ECS and the ES in the Commonwealth of The Bahamas. URCA's functions and powers are set out in the Utilities Regulation and Competition Authority Act, 2009 (as amended) (URCA Act), Communications Act, 2009 (CA) and the Electricity Act, 2015 (EA)<sup>1</sup>.

### 3.2 Regulatory Framework

Any proposal should take account of URCA's obligations and limitations set out in the various governing legislation.

#### 3.2.1 Utilities Regulation and Competition Authority

The URCA Act is the umbrella legislation which establishes URCA and sets out its role, functions and responsibilities in respect of the sectors it regulates.

Section 4.2 of the URCA Act sets out the powers of URCA as follows:

- “4. (1) URCA shall have such functions as are conferred on it by this Act or under any other law.  
(2) In performance of its functions, URCA shall have the power to issue all regulatory and other measures, including –*
- (k) “to request such information from operators in regulated sectors as is necessary in pursuance of its duties under any other law;*
  - (l) to conduct market investigations and market reviews and publish information and reports;*
  - (m) to make such arrangements for regulating its own procedures, and such arrangements for regulating the procedure of the committees established by URCA, as it thinks fit;[...]”*

In delivering on its mandate, URCA operates at all times in a manner which is characterized by fairness, timeliness, efficiency, transparency, attention to detail and independence. It adopts regulatory interventions that are the least intrusive but designed to ensure a balance in the relationships among all stakeholders.

As part of its regulatory mandate, URCA consults widely and assesses the impact of its findings on all stakeholders before issuing regulatory measures. URCA's regulatory regime is underpinned by a philosophy that the regulator has a duty to operate in the public interest.

In addition to the provisions of the URCA Act, there are sector specific legislation and instruments such as the CA and the EA, the various licenses granted to licensee which contain specific

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<sup>1</sup> Copies of the relevant legislation and amendments are available at Bahamas Government Publications and on the Bahamas Government Laws Website (<http://laws.bahamas.gov.bs/cms/en/>); Copies of URCA's standard license conditions and all previous results are available on URCA's website (<https://www.urbahamas.bs/>)

provisions, consistent with the principles elaborated in the URCA Act, as to the URCA's functions in the particular sector and/or its relationship to the service provider.

### **3.2.2 Communications Act**

Section 4 of the CA affirms that electronic communications perform an essential role in promoting the economic and social welfare of The Bahamas.

As the independent regulator of the communications sector and in accordance with URCA's duties set out in the CA, URCA has an obligation to facilitate the communications policy of the ECS which in accordance with section 4(a)(3) of the CA includes the prioritisation of competition in the ECS.

Part XI of the CA specifically addresses competition law issues inclusive of anti-competitive agreements, abuse of dominant position and mergers and acquisitions.

Section 67 of the CA prohibits anti-competitive agreements unless exempted and outlines:

*"67. (1) Agreements between licensees, or between a licensee and another undertaking, decisions by associations (whether formal or informal) of undertakings or concerted practices which relate to communication matters and which — (a) may affect trade within The Bahamas; and (b) have as their object or effect the prevention, restriction or distortion of competition in markets in The Bahamas, are prohibited unless they are exempt in accordance with the provisions of this Part. [...]"*

Likewise, section 69 of the CA prohibits an abuse of a dominant position, wherein it particularly provides as follows:

*"69. (1) Any conduct on the part of one or more licensees which relates to the electronic communications sector and which amounts to an abuse of that licensee's or those licensees' dominant position in a market in The Bahamas is prohibited. [...]"*

Finally, section 70 of the CA generally prohibits mergers without the approval of URCA and specifically states as follows:

*"70. (1) Without prejudice to — (a) any other law; or (b) any further obligations in a licence to notify URCA of changes in control, no change in control of a licensee can be implemented without obtaining the prior[...]"*

Guidelines in relation to these provisions covering the issues of merger control, market definition, anti-competitive agreements, abuse of dominant positions, the level of fines for breaches under Part XI of the CA and the complaints and investigation process are outlined in URCA's Competition Guidelines (ECS COMP.1 to ECS COMP. 9) dated on or about 18<sup>th</sup> September 2009 and 17<sup>th</sup> March 2010

### **3.2.3 Electricity Act**

In accordance with section 6 of the EA, URCA's primary objective for the Electricity Sector is "the creation of a regime for the supply of safe, least cost, reliable and environmentally sustainable electricity throughout The Bahamas."

URCA has an obligation to facilitate energy sector policy of The Bahamas which includes the prioritisation of competition in the ES in accordance with section 5(1)(a) of the EA.

Part XII of the EA specifically regulates and has jurisdiction to consider inter alia competition law issues inclusive of anti-competitive agreements, abuse of dominant position and mergers and acquisitions.

Particularly, section 55 of the EA outlines the following in relation to URCA's role anent anti-competitive agreements:

*"55. Anti-competitive agreements. (1) Subject to subsection (5), no person shall without the grant of an approval by URCA enter into a contract or arrangement or arrive at an understanding which – (a) contains a provision that has the purpose, or has or is likely to have the effect, of substantially lessening competition in an electricity market; or (b) creates new monopoly situations in the generation, transmission, distribution or supply of electricity in The Bahamas. [...]"*

Likewise, in relation to Merger Control and URCA's remit, section 57 of the EA outlines the following:

*"57. URCA to approve a change in control in relation to licensees. (1) Without prejudice to any of the law or existing obligations in a licence to notify URCA of changes in control, a person shall not implement a change in control of a licensee without obtaining the prior written approval of URCA in accordance with this Part. [...]"*

There are no existing guidelines or other regulatory documents apart from the aforementioned statutory provision in relation to competition law covering the ES.

## 4 TERMS OF REFERENCE AND SCOPE OF WORK

### 4.1 Overview

The consultation will include:

1. Drafting a consultation document in accordance with URCA's established Consultation Procedure<sup>2</sup> for issue by URCA ("the Consultation Document") in relation to the ECS and the ES (using the existing ECS Competition Guidelines as a basis for the formulation of the guidelines):
  - a. guidelines anent substantive assessment covering horizontal and vertical agreements (horizontal and vertical guidelines);
  - b. guidelines covering the concept of dominance and substantive assessment of the different forms of abuse;
  - c. guidelines on mergers and acquisitions covering the different jurisdictional aspects in particular, concept of concentration, change of control (sole and joint control);
  - d. procedural rules to conduct investigations including enforcement (including but not limited to dawn raids, leniency policy, request for information, sector enquiries), merger notification and complaints procedure;
  - e. forms to support guidelines, rules and Parts XI and XII of the Electricity Act, 2015 inclusive of electronic versions; and
  - f. any other subject in accordance with the sector specific legislation and international best practice.
2. Delivering in person and/or remote presentations in relation to the Consultation Document, as necessary;
3. Preparing a response to comments and questions received (if any), making any amendments consequent upon the Consultation;
4. Developing a Statement of Results and Final Decision document in accordance with URCA's Standard Consultation Procedure in addition to standalone guidelines documents ("the Final Regulatory Document"); and

5. Delivering training to URCA regulatory and consumer and customer relations staff in person and/or remotely in relation to the Final Regulatory Document.

## **4.2 Team Composition**

The composition of the consultant team is expected to have the following three (3) functional roles: (i) a team leader; and (ii) 2 industry experts. The consultant may indicate more or less than three (3) persons as they desire. However, scoring will be based on the aforementioned three (3) functional roles. The consultant may indicate in their bid that a particular function will be carried out by more than one person or that one person will carry out more than one function. The scoring will however depend on the ability and experience of the named person(s) to carry out the specific function.

**4.2.1 Team Leader** is the project manager with overall reporting responsibility to URCA (the Client). The team leader is charged with coordinating the activities of the rest of the team to ensure the successful completion of the project. This person will be the Client's point of contact/liaison and will be responsible for providing updates on the project's progress.

**4.2.2 Industry Experts 1 and 2** should have the relevant qualification and experience to assess the current state of the Electricity Sector, the Electronic Communications Sector and the existing regulatory environment in The Bahamas so as to make appropriate conclusions as to what constitutes appropriate Competition Law Guidelines and Rules for these sectors.

## **4.3 Deliverables and Timeline for Deliverables**

### **4.3.1 Required Deliverables**

The consultant will be required to provide URCA with a workplan for the completion of each Deliverable in this section, which shall include, but is not limited to, a date for the completion of this project. In accordance with URCA's annual plan for 2023, this project is slated to be completed within 2023. As such, any proposal as it relates to timelines for delivery should not extend past 31 December 2023.

The consultant will be required to complete the following Deliverables as part of this consultancy:

**4.3.2 Draft Consultation Document:** The consultant shall draft the Consultation document for publication by URCA. As a part of preparing the Consultation document, the consultant shall provide a summary of the document for publication on URCA’s website. URCA shall be at liberty to review, comment and suggest amendments to the Consultation document.

**4.3.3 Presentation on Consultation Document:** At a mutually agreed date and time, the consultant shall conduct a presentation to URCA stakeholders in relation to the Consultation Document. The presentation may be conducted in person or virtually (the consultant shall include the cost of both options in its Financial Proposal), and a printed version of the presentation shall be provided to URCA.

**4.3.4 Final Document:** URCA shall provide the consultant with any comments and/or feedback received in relation to the consultation document. The consultant shall review the comments, make any appropriate changes and respond to the comments in accordance with URCA’s standard consultation procedures. URCA shall be at liberty to review, comment and suggest amendments to the Consultation document.

**4.3.5 Basic Training:** At a mutually agreed time and date after publication of the Statement of Results and Final Decision (with standalone Guidelines), the consultant shall conduct basic training regarding the high-level competition law tenets and principles contained in the Guidelines to the URCA regulatory and consumer and customer relation staff. A draft training plan shall be submitted to URCA for review and approval before training is conducted. The training plan shall include the syllabus, duration of each component, method of delivery for each component and objectives for learning of each component. Training may be conducted in person or virtually (the consultant shall include the cost of both options in its Financial Proposal), and a printed version of all training material shall be provided to URCA.

#### **4.3.6 Document Submission**

All documents under this section are to be submitted to URCA as follows:

1. One original and two (2) copies in hard copy.
2. One .pdf electronic copy by email to the URCA project lead.
3. The draft rules and guidelines shall be provided in Microsoft Word format by email to the URCA project lead.

#### **4.3.7 Payment**

Invoices for stage payments made by URCA based on the above Deliverables shall be issued following URCA’s certification of the relevant deliverable, which shall be issued by email from the URCA project lead and shall not be unreasonably withheld and shall be payable within no less than thirty (30) calendar days after receipt of invoice by URCA.

## 5 EVALUATION OF PROPOSALS

The Technical Proposal will be scored as follows: Points

- (i) Experience of the consulting firm related to the assignment –
- Experience in ECS and ES regulation 5
  - Experience in the Caribbean region 5
- (ii) Adequacy of the proposed work plan and methodology in responding to the Term of Reference (TOR) –
- Technical Approach and Methodology 15
  - Work Plan 10
  - Organisation and Staffing 10
- (iii) Qualifications and competence of the key team members for the assignment –
- Team Leader 25
  - Other team members 30
- Total Points: 100**

*The points to be given under each evaluation sub-criteria for Qualifications and competence of key team members are:*

- (i) *General Qualifications* 30
- (ii) *Adequacy for the project/Technical experience* 50
- (iii) *Experience in the region* 20
- Total Points 100**

The consultants will be evaluated according to their knowledge and expertise. Regional expertise of consultant key team members in the Caribbean and similar Island States will be valued.

**The technical score ( $S_t$ ) of each Biding consultant will be computed using the methodology outlined above. Where  $S_t$  is technical score for each proposal.**

**The financial score ( $S_f$ ) of each consultant will be computed using the formula**

$$S_f = \frac{[(\text{Lowest Price})/(\text{Bidders Price})] \times 100}{}$$

**Proposals will be ranked according to their combined score ( $S_c$ ) which shall be computed as follows:**

$$S_c = (S_t \times 70\%) + (S_f \times 30\%)$$

**The firm achieving the highest combined technical and financial score will be invited for negotiations.**

## **6 PROJECT SCHEDULE**

In accordance with URCA's draft Annual Plan for 2023, this project is expected to commence in T2 of 2023 and to be completed on or before 31<sup>st</sup> December 2023. Consultants are therefore invited to include in their proposal a completion date and timeline that accords with URCA's standard consultation procedures and the limits outlined in this RFP.

## **7 MISCELLANEOUS**

### **7.1 General**

The information contained in this RFP or subsequently provided to Applicants, whether verbally or in documentary or any other form by or on behalf of URCA or any of its employees or advisers, is provided to Applicants on the terms and conditions set out in this RFP and such other terms and conditions subject to which such information is provided. This RFP is not an agreement and is neither an offer nor invitation by URCA to the prospective Applicants or any other person.

### **7.2 Disclaimer**

The purpose of this RFP is to provide interested parties with information that may be useful in the formulation of the Proposals pursuant to this RFP. The assumptions, assessments, statements and information contained in this RFP, may not be complete, accurate, adequate or correct. Each Applicant should, therefore, conduct its own investigations and analysis and should check the accuracy, adequacy, correctness, reliability and completeness of the assumptions, assessments and information contained in this RFP and obtain independent advice from appropriate sources. URCA also accepts no liability of any nature whether resulting from negligence or otherwise however caused arising from reliance of any Applicant upon the statements contained in this RFP. The issue of this RFP does not imply that URCA is bound to select an Applicant or to appoint the Selected Applicant, as the case may be, for the Consultancy and URCA reserves the right to reject all or any of the Proposals without assigning any reasons whatsoever.

### **7.3 Amendments**

URCA may in its absolute discretion, but without being under any obligation to do so, update, amend or supplement the information, assessment or assumption contained in this RFP.

### **7.4 Costs**

The Applicant shall bear all its costs associated with or relating to the preparation and submission of its Proposal including but not limited to preparation, copying, postage, delivery fees, expenses associated with any demonstrations or presentations which may be required by URCA or any other costs incurred in connection with or relating to its Proposal. All such costs and expenses will remain with the Applicant and URCA shall not be liable in any manner whatsoever for the same



or for any other costs or other expenses incurred by an Applicant in preparation or submission of the Proposal, regardless of the conduct or outcome of the Selection Process.

## **ANNEX 1: TECHNICAL PROPOSAL SUBMISSION FORMS**

**A. TECHNICAL PROPOSAL SUBMISSION FORM**

Date: \_\_\_\_\_

**Director of Utilities and Energy  
Utilities Regulation & Competition Authority**

Frederick Street, Frederick House,  
P.O. Box N-4860 Nassau Bahamas  
Tel: 2423930234 | Fax: 2423930237  
Email: [cantonio@urcabahamas.bs](mailto:cantonio@urcabahamas.bs)

Dear Sir,

We, the undersigned, offer to provide the consulting services to:

**“CONSULTANCY SERVICES TO:**

- (i) Update to URCA’s Competition Guidelines for the Electronic Communications Sector;**
- (ii) Development of Competition Guidelines and Rules for the Energy Sector; and**
- (iii) Basic training of URCA staff on the Competition Law Guidelines”**

We are hereby submitting our Proposal, which includes this Technical Proposal and a Financial Proposal sealed under separate envelopes.

Our Proposal is binding upon us and subject to the modifications resulting from Contract negotiations.

We understand you are not bound to accept any Proposal you receive.

Sincerely,

Authorized Signatory : \_\_\_\_\_

(supported by Power of Attorney / Justice of the Peace)

Name and Title of Signatory : \_\_\_\_\_

Name of Bidder : \_\_\_\_\_

Address : \_\_\_\_\_

Date : \_\_\_\_\_

**B. REFERENCES**

Relevant Services Carried Out (preferably in the Last Five (5) Years) That Best Illustrate Qualifications

Using the format below, provide information on each Assignment.

The Applicant authorizes URCA to contact and obtain information from the Applicant’s reference(s) listed in this section.

Assignment Name:		Country:
Location within Country:		Professional Staff Provided:
Name of Client:	Name of representative and contact details for whom URCA may liaise:	No. of Staff:
Address:		No. of Staff – Weeks; Duration of Assignment:
Start Date (Month/Year):	Completion Date (Month/Year):	Approx. Value of Services:
Name of Associated consultants, If Any:		No. of Weeks of Professional Staff Provided by Associated consultants:
Name of Senior Staff (Project Director/Coordinator, Team Leader) Involved and Functions Performed:		
Narrative Description of Project:		

Bidder’s Name: \_\_\_\_\_

**COMMENTS AND SUGGESTIONS OF CONSULTANTS ON THE DESCRIPTION OF SERVICES AND TERMS OF REFERENCE (TOR).**

On the Description of Services:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

On the TOR:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

**C. DESCRIPTION OF THE METHODOLOGY AND WORK PLAN FOR PERFORMING THE ASSIGNMENT**

**D. TEAM COMPOSITION AND TASK ASSIGNMENTS (please include CVs for team members)**

Name	Relevant Experience	Task/Function	Position

**E. TIME SCHEDULE FOR DOCUMENTS/ACTIVITIES DELIVERY**

## **ANNEX 2: FINANCIAL PROPOSAL AND SUBMISSION FORMS**

**A. FINANCIAL PROPOSAL SUBMISSION FORM**

Date: \_\_\_\_\_

Attn: Director of Utilities and Energy

**Utilities Regulation & Competition Authority**

Frederick Street, Frederick House,  
P.O. Box N-4860 Nassau Bahamas  
Tel: 2423930234 | Fax: 2423930237  
Email: [cantonio@urcabahamas.bs](mailto:cantonio@urcabahamas.bs)

Dear Sir

We, the undersigned, offer to provide the consulting services to:

- “CONSULTANCY SERVICES TO:**
- (i) Update to URCA’s Competition Guidelines for the Electronic Communications Sector;**
- (ii) Development of Competition Guidelines and Rules for the Energy Sector; and**
- (iii) Basic training of URCA staff on the Competition Law Guidelines”**

Our attached Financial Proposal is for the sum of

\_\_\_\_\_ (\$ )

This amount is final.

Our Financial Proposal shall be binding upon us subject to the modifications resulting from Contract negotiations, up to expiration of the validity period of the Proposal.

We understand you are not bound to accept any Proposal you receive.

Sincerely,

Authorized Signatory : \_\_\_\_\_

(supported by Power of Attorney / Justice of the Peace)

Name and Title of Signatory : \_\_\_\_\_

Name of Bidder : \_\_\_\_\_

Address : \_\_\_\_\_

Date : \_\_\_\_\_



**B. CONSULTANT TO PROVIDE A SUMMARY OF COSTS IN ADDITION TO A PAYMENT SCHEDULE**

PART I – SUMMARY OF COSTS

ITEM	COSTS			
	[INDICATE FOREIGN CURRENCY #1] <sup>3</sup>	[INDICATE FOREIGN CURRENCY #2]	[INDICATE FOREIGN CURRENCY #3]	[INDICATE LOCAL CURRENCY]
TOTAL COSTS OF FINANCIAL PROPOSAL <sup>4</sup>				

PART II – PAYMENT SCHEDULE

Payment Number	Payment Milestone	Estimated Date of Delivery	Payment Amount	Percentage Paid	Cumulative Percentage Paid

**C. CONSULTANT TO PROVIDE BREAKDOWN OF COST PER DELIVERABLE AND /OR TOTAL COST BY ITEM WITH DETAILS DESCRIPTION**

ACTIVITY	DETAILS	COST
Draft Consultation Document		
Presentation on Draft Consultation Document		
Final Document		
Basic Training		
SUB-TOTAL COST (\$)		
TOTAL AMOUNT FOR FINANCIAL PROPOSAL (\$)		

<sup>3</sup> Indicate between brackets the name of the foreign currency. Maximum of three currencies; use as many columns as needed and delete the others.

<sup>4</sup> Indicate the total costs, net of local taxes, to be paid by the procuring entity in each currency.

**D. Consultant Information Form**

1. Name of Business \_\_\_\_\_

• Address: \_\_\_\_\_

• Email: \_\_\_\_\_ website: \_\_\_\_\_

• Business telephone \_\_\_\_\_ Fax No. \_\_\_\_\_

2. Principal(s) of the Business \_\_\_\_\_

3. **State Tax Identity No.** (for the purpose of Value Added Tax) \_\_\_\_\_

**OR**

**My company is exempt from the payment of VAT**

4. Is the Business Registered? Yes  No

If NO,

state Trade Name: \_\_\_\_\_

If YES, (registered company) provide copy of Registration Certificate

a) state Incorporation Date: \_\_\_\_\_

b) state Place of Incorporation: \_\_\_\_\_

c) if applicable state Registered Office: \_\_\_\_\_

c) attach Certificate of Good Standing, if applicable

d) affix Company Seal:

5. Is Business License Valid? Yes  No

Date of Business License: \_\_\_\_\_

*(Provide copy of Business License valid for at least six months)*

6. Number of persons employed by the Business:

(1) Bahamian \_\_\_\_\_



(2) Non-Bahamian (with Valid Work Permits) if applicable:

\_\_\_\_\_

7. Client References (include location and contact person):

(1) Client name \_\_\_\_\_ Contact \_\_\_\_\_

(2) Client name \_\_\_\_\_ Contact \_\_\_\_\_

(3) Client name \_\_\_\_\_ Contact \_\_\_\_\_

8. Provide certified copies of documents defining the legal status of the Bidder including confirmation from the bidder of the authority of the signatory of the Bid to commit the Bidder.

9. **We hereby confirm that the Bidder is not associated nor has been associated in the past, directly or indirectly, with any person(s) in the Authority or any other entity having prepared the Specifications or any other bidding documents in connection with this project.**

10. **We further confirm that there is no person(s) in the Authority who is involved in or has any or a vested interest in the Company/Business of the Bidder.**

11. We hereby authorize the Utilities Regulation and Competition Authority to investigate the information and/or references herein contained.

I, \_\_\_\_\_ of \_\_\_\_\_  
**(authorized representative) (business name)**

hereby certify that the above information is correct and true.

Dated this \_\_\_\_\_ day of \_\_\_\_\_

Certified this \_\_\_\_\_ day of \_\_\_\_\_ 2023

at .....